

STATE OF KANSAS
KANSAS DENTAL BOARD

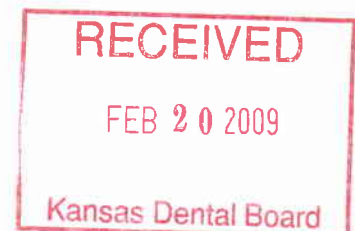
NOTICE OF PUBLIC HEARING ON PROPOSED ADMINISTRATIVE REGULATION

A public hearing will be conducted at 9:00 a.m., on the 24th day of July, 2009, at the Landon State Office Building, 900 SW Jackson, Room 108, Topeka, Kansas 66612, to consider K.A.R. 71-11-1 of the Kansas Dental Board.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed amendment of K.A.R. 71-11-1. All parties may submit written comments prior to the hearing to the Kansas Dental Board, Betty Wright, info@dental.state.ks.us, or Landon State Office Building, 900 SW Jackson, Room 564-S, Topeka, Kansas 66612-1231. All interested parties will be given a reasonable opportunity to present their views orally on the amendment of the regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the regulation and economic impact statement in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting the Kansas Dental Board, Landon State Office Building, 900 SW Jackson, Room 564-S, Topeka, Kansas 66612-1231, (785) 296-4690. Handicapped parking is located on the west and north sides of the building, and the north entrance to the building is accessible to individuals with disabilities.

The regulation is proposed for adoption as a permanent regulation. A summary of the proposed regulation is as follows:



K.A.R. 71-11-1 Practice of dentistry. This regulation identifies that any nonlicensed person who provides a service or procedure altering the color or physical condition of teeth are deemed to be practicing dentistry unless under the direct supervision of a licensed and practicing dentist.

Copies of the regulation and the economic impact statement may be obtained from the Kansas Dental Board, Landon State Office Building, 900 SW Jackson, Room 564-S, Topeka, Kansas 66612-1231, (785) 296-4690, or by accessing the Board's website at <http://www.kansas.gov/kdb/>.

Betty Wright
Executive Secretary



Article 11. MISCELLANEOUS PROVISIONS

71-11-1. Practice of dentistry. Each nonlicensed person who provides any service or procedure meeting either of the following conditions shall be deemed to be practicing dentistry, unless the person provides the service or procedure under the direct supervision of a dentist licensed and practicing in Kansas:

(a) Alters the color or physical condition of natural, restored, or prosthetic teeth;

or

(b) requires the positioning and adjustment of equipment or appliances for the purpose of altering the color or physical condition of natural, restored, or prosthetic teeth.

(Authorized by K.S.A. 74-1406(l); implementing K.S.A. 65-1422; effective P-

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ATTORNEY GENERAL

FEB 13 2009

APPROVED BY *cm*

RECEIVED

FEB 20 2009

Kansas Dental Board

DEPT. OF ADMINISTRATION

FEB 12 2009

APPROVED

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KANSAS DENTAL BOARD

ECONOMIC IMPACT STATEMENT

Pursuant to K.S.A. 77-420(b), the Kansas Dental Board submits the following description of the economic impact of K.A.R. 71-11-1.

1. This regulation identifies that any nonlicensed person who provides a service or procedure altering the color or physical condition of teeth are deemed to be practicing dentistry unless under the direct supervision of a licensed and practicing dentist.
2. The proposed regulation is not mandated by federal laws.
3. Other than potential costs associated with enforcement, the Board believes that no new costs will be borne by dentists, dental hygienists, or others.
4. The Board is not aware of any less costly or less intrusive methods to achieve the stated purpose and thus none were considered.
5. This is not a proposed environmental regulation.

